

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

|                                  |   |                              |
|----------------------------------|---|------------------------------|
| SAMSUNG ELECTRONICS CO., LTD.    | ) |                              |
| and SAMSUNG SEMICONDUCTOR, INC., | ) |                              |
|                                  | ) |                              |
| Plaintiffs,                      | ) |                              |
|                                  | ) |                              |
| v.                               | ) | C.A. No. 21-1453 (RGA) (JLH) |
|                                  | ) |                              |
| NETLIST, INC.,                   | ) |                              |
|                                  | ) |                              |
| Defendant.                       | ) |                              |
| _____                            | ) |                              |
| NETLIST, INC.,                   | ) |                              |
|                                  | ) |                              |
| Counterclaim Plaintiff,          | ) |                              |
|                                  | ) |                              |
| v.                               | ) |                              |
|                                  | ) |                              |
| GOOGLE LLC, ALPHABET INC.,       | ) |                              |
| SAMSUNG ELECTRONICS CO., LTD.    | ) |                              |
| and SAMSUNG SEMICONDUCTOR, INC., | ) |                              |
|                                  | ) |                              |
| Counterclaim Defendants.         | ) |                              |

**STATUS REPORT RE: SAMSUNG’S FORTHCOMING MOTION TO STAY**

Pursuant to this Court’s Oral Order (D.I. 198), Plaintiffs Samsung Electronics Co., Ltd. and Samsung Semiconductor, Inc. (collectively, “Samsung”), Defendant Netlist, Inc. (“Netlist”), and Counterclaim-Defendants Google LLC and Alphabet Inc. submit this status report regarding Samsung’s forthcoming motion to stay based on the recent Ninth Circuit decision. *See* D.I. 192. Netlist requested that Samsung file its motion promptly. Samsung stated that it will file its motion to stay on Thursday, October 26, 2023.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

*/s/ Rodger D. Smith II*

---

Jack B. Blumenfeld (#1014)  
Rodger D. Smith II (#3778)  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899  
(302) 658-9200  
jblumenfeld@morrisnichols.com  
rsmith@morrisnichols.com

*Attorneys for Plaintiffs and Counterclaim-  
Defendants Samsung Electronics Co., Ltd. and  
Samsung Semiconductor, Inc.*

SHAW KELLER LLP

*/s/ Emily S. DiBenedetto*

---

Karen E. Keller (#4489)  
Nathan R. Hoeschen (#6232)  
Emily S. DiBenedetto (#6779)  
I.M. Pei Building  
1105 North Market Street, 12th Floor  
Wilmington, DE 19801  
(302) 298-0700  
kkeller@shawkeller.com  
nhoeschen@shawkeller.com  
edibenedetto@shawkeller.com

*Attorneys for Defendant Netlist, Inc.*

RICHARDS, LAYTON & FINGER, P.A.

*/s/ Kelly E. Farnan*

---

Kelly E. Farnan (#4395)  
One Rodney Square  
920 North King Street  
Wilmington, DE 19801  
(302) 651-7700  
farnan@rlf.com

*Attorneys for Counterclaim-Defendants  
Google LLC and Alphabet Inc.*

October 24, 2023